IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

OP.No. 11302 of 2003(U)

PETITIONER:

P.P.VASU, SECRETARY (RETIRED),
NANMANDA CO-OPERATIVE RURAL BANK, KUNNUMMEL HOUSE,
NANMANDA P.O., KOZHIKODE.

BY ADV. SRI.P.P.JACOB
SMT.B.S.SEEMA

RESPONDENTS:

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1. **NANMANDA CO-OPERATIVE RURAL BANK LTD.NO.F.1238, NANMANDA, KOZHIKODE, REP.BY ITS SECRETARY.**

2. **ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (G), KOZHIKODE.**

3. **KERALA STATE CO-OPERATIVE EMPLOYEES PENSION BOARD, TRIVANDRUM REP.BY ITS SECRETARY.**

BY ADV. SRI.V.G.ARUN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.19402/2003 IN OP. NO.11302/2003

DISMISSED

21.03.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE RESOLUTION DT.11.8.80.

EXT.P2:- COPY OF THE PAYSCALE OF PETITIONER APPROVED BY 2ND RESPONDENT DT.18.4.96.

EXT.P3:- COPY OF THE STATEMENT OF ARREARS DT. NIL APPROVED BY 2ND RESPONDENT.

EXT.P4:- COPY OF THE REVISED PAY SCALE OF THE PETITIONER APPROVED BY THE DEPARTMENT AS PER G.O.(P) 47/00 DT.22.3.2000.

EXT.P5:- COPY OF THE STATEMENT OF ARREARS OF SALARY APPROVED BY THE 2ND RESPONDENT DT. NIL.

EXT.P6:- COPY OF THE NOTICE ISSUED BY 3RD RESPONDENT TO THE 1ST RESPONDENT DT. 26.10.99.

EXT.P7:- COPY OF THE REPLY ISSUED BY 1ST RESPONDENT TO THE 3RD RESPONDENT DT. 6.11.99.

EXT.P8:- COPY OF THE DETAILS OF PAY OF 10 MONTHS OF RETIREMENT OF THE PETITIONER ISSUED BY 1ST RESPONDENT DT. 28.9.01.

EXT.P9:- COPY OF THE ORDER ISSUED BY 3RD RESPONDENT DT. 11.2.00.

EXT.P10:- COPY OF THE ORDER DT.11.2.2000 ISSUED BY 3RD RESPONDENT.

EXT.P11:- COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 3RD RESPONDENT DT.2.4.02.

EXT.P12:- COPY OF THE LETTER ISSUED BY 3RD RESPONDENT TO THE 1ST RESPONDENT DT. 24.6.99.

EXT.P13:- COPY OF THE LETTER ISSUED BY 1ST RESPONDENT TO THE 3RD RESPONDENT DT. 28.6.99.

EXT.P14:- COPY OF THE STATEMENT SHOWING PAY AND PENSION AMOUNT OF RETIRED EMPLOYEES OF 1ST RESPONDENT DT. NIL.

EXT.R3(a):- COPY OF THE CHART, SHOWING THE DIFFERENCE OF PAY.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P. NO. 11302 OF 2003

Dated this the 21st day of March, 2007.

J U D G M E N T

Issue raised in this petition pertains to the pay scale of the petitioner. While passing Exhibits P9 and P10 orders, third respondent did not have the opportunity to peruse Exhibits P11 and P13. It is the contention of the petitioner that in view of Exhibits P2 to P5, he is entitled to have the reliefs as claimed in Exhibits P11 and P13. Hence, I quash Exhibits P9 and P10 orders with direction to the third respondent to pass fresh orders in the matter with notice to the petitioner and first respondent within a period of three months from date of production of a copy of this judgment along with the documents referred to above.

This original petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp